

REMARKS

Applicants have received the Office Action mailed December 3, 2008. Claims 1, 3-23, and 25-31 are pending, of which claims 1, 23 and 31 are independent. Applicants request reconsideration of the pending claims in view of the following remarks.

Claim Rejections -35 U.S.C. § 102

Claims 1, 3-20, 23, 25-29 and 31 were rejected under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 6,144,958 ("Ortega").

Applicants submit that Ortega does not anticipate Applicants' claim 1, because the relied upon portions of Ortega do not disclose each element of claim 1, as required for anticipation. In particular, for example, the relied upon portions of Ortega do not disclose "subsequently processing a second query including: receiving the second search query having a second content; [and] determining whether at least one portion of the second content matches the first content." Such a feature can permit certain implementations to rewrite a query, and subsequently rewrite a matching query in a similar way when that matching query is received. In this manner, search quality can be improved because the subsequently-received queries can be processed quickly by performing the pre-determined query rewrite.

The Examiner pointed to column 5, lines 17-26 in Ortega as allegedly disclosing such features. However, that passage merely shows the making of a correlation between terms that frequently appear in search queries together:

In accordance with another aspect of the invention, the correlation table **50** preferably contains or reflects historical information about the frequencies with which specific search terms have appeared together within the same search query. As depicted in FIG. 1, this data is preferably extracted from the query log **36** using a table generation process **46**. Incorporating such historical information into the spell correction process further increases the likelihood that a replacement term located by the process will be the term that was intended by the user.

Such discussion merely relates to comparing terms that appear together in a particular single query. It does not disclose making a comparison between content from a first search

query and then from a second search query—i.e., “determining whether at least one portion of the second content matches the first content,” in the words of pending claim 1.

More generally, Ortega is directed to a “System and Method for Correcting Spelling Errors in Search Queries.” Such spelling correction is performed by looking at intra-query correlations between words, i.e., by determining how frequently terms appear in a query together. Thus, when a user submits a query containing a word that is recognized and a word that is not recognized, the system can identify the recognized word in a log of previously-submitted queries, identify words that have appeared with the recognized word in prior queries, and then determine which of those words is most like the unrecognized word so as to make a spelling correction. *See* Ortega, column 1, line 60 – column 2, line 43. It is in that context that the block quote above refers to frequencies with which search terms “have appeared together within the same search query.” The Ortega reference simply saves the exact terms from prior queries, and does not rewrite those queries as recited in claim 1. Ortega thus does not rewrite a first query into a modified search, and in turn does not execute a later search using such a modified search query. Thus, Applicants respectfully submit that Ortega neither discloses nor fairly suggests the features of pending claim 1 and its dependent claims, and request that section 102 rejections of claim 1 and its dependent claims be withdrawn.

Independent claim 23 is directed to a computer-readable storage device, and includes the element “subsequently processing a second query including: receiving the second search query having a second content; determining whether at least one portion of the second content matches the first content.” For at least the reasons discussed in connection with claim 1, Applicants submit that claim 23 is patentable over the Ortega patent, and request that section the 102 rejections over Ortega of claim 23, and of corresponding dependent claims 25-29, be withdrawn.

Independent claim 31 is directed to a method, and includes the element “subsequently processing a second search query including: receiving the second search query; determining that at least one portion of the second query matches one or more of the first plurality of search terms,” which is substantially similar to the features of claim 1 discussed above. As such, for at

least the reasons discussed in connection with claim 1, Applicants submit that claim 31 is patentable over Ortega, and request that section 102 rejection be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claim 21 was rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Ortega in view of the Examiner's Official notice. Claim 21 depends on claim 1, whose differences over Ortega are discussed above. For the reasons discussed above, Applicants submit that claim 21 is patentable, and request withdrawal of the rejection.

Claims 22 and 30 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Ortega in view of U.S. Patent No. 6,006,225 to Bowman. Claim 22 depends on claim 23, and claim 30 depends on claim 23. For the reasons discussed above, and because Bowman does not cure the failings of Ortega, Applicants request allowance of claims 22 and 30 also.

Conclusion

Applicants submit that claims 1, 3-23, and 25-31 are in condition for allowance, and request that the Examiner issues a notice of allowance.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment

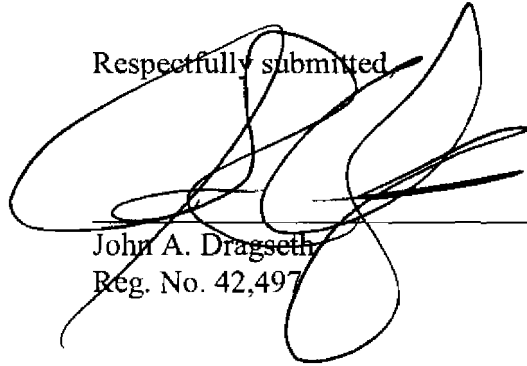
Applicant : Tucker et al.
Serial No. : 10/812,901
Filed : March 31, 2004
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Attorney's Docket No.: 16113-0339001 / GP-221-00-US

No fee is believed due in connection with this submission. Please apply any other charges or credits to deposit account 06-1050.

Date: 3/3/09

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'John A. Dragseth', is written over a horizontal line.

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